

BOXER have worked on for years, are programs that, in most States, they are not even considering anymore.

Mr. DURBIN. Is it unfair, then, to bring this together and say if we are going to see this President continue to put unfunded mandates on schools and not put the Federal dollars into education, and we are going to see education cut back at the State and local level, that is going to lessen the opportunity for children to pick up the skills and education they want? This is no way to deal with an unemployment problem. Frankly, it is a way to guarantee that that problem is going to become chronic and long term because we are not investing in making young people productive and educated.

So the No Child Left Behind program and the unfunded mandate by the Bush White House really was lost to this whole argument about tax cuts. The President says we need tax cuts for jobs and growth. It just hasn't worked. As the Senator from Nevada reported today—I forget the number—it has been over 100 months since we have had such high unemployment.

Mr. REID. It has been 106 months.

Mr. DURBIN. So that is somewhere a little less than 9 years to go back to a period of time with the unemployment that high. It doesn't appear that the President's first tax cut has kicked in. If it has, it kicked a lot of people out of work. We ought to think long and hard about whether we continue down this path.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FITZGERALD). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that at 11 a.m. on Tuesday, June 24, the Senate proceed to a vote in relation to the Rockefeller amendment No. 976, provided that immediately following that vote and 2 minutes of debate equally divided, the Senate then proceed to vote in relation to the Bingaman amendment No. 984; further, at 2:15 there be 10 minutes equally divided prior to the vote in relation to the Dodd amendment No. 969, with no second-degree amendments in order to the above mentioned amendments prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO BEVERLY RICHARDSON

• Mr. BUNNING. Mr. President, I rise today to pay tribute to Mrs. Beverly Richardson of Hancock County, KY, for her legacy of service to others. Her contributions to our Commonwealth as director of the Hancock County Career Center have made all the difference in the lives of countless Kentuckians.

In 1997, when the Hancock County Career Center was initially established, Beverly Richardson, who is a proud Western Kentucky University graduate, took on the role as director, enabling her the opportunity to shape the lives of many unemployed individuals who are now working. Throughout her tenure as director, she has improved the lives of a variety of people from high school dropouts seeking to earn a general education degree, to unemployed workers in need of greater job skills to increase their competitiveness in the job market. The values and beliefs Beverly brought to the Hancock County Career Center aided her in facing the challenges she met and the opportunities each day brought as a coordinator of the center's activities.

While assisting Kentucky residents in gaining more job skills and greater confidence was a wonderful accomplishment in her life, no achievement was more notable than that of raising her four children with her husband Wendell. Together, they raised four college graduates who have paved career paths of their own and given her and Wendell many grandchildren.

Beverly Richardson's devotion to education and job training has improved the vitality of Kentucky's economy, enhanced the capabilities of so many workers, and strengthened the character of individuals and families. Employers and employees alike throughout Kentucky owe her a debt of gratitude. Her example should be emulated across America. I thank the Senate for allowing me to recognize Ruth and voice her praises. She is Kentucky at its finest. •

##### LOCAL LAW ENFORCEMENT ACT OF 2003

• Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred at Fort Campbell, KY. A little after 3 in the morning on July 5, 1999, PFC Barry L. Winchell was forced outside his barracks where he was stationed and brutally beaten with a baseball bat by another Army private. Winchell died of his injuries the following day. Army officials and

sources close to Winchell believe that his death was motivated by antigay bias.

I believe Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well. •

##### HONORING FRANK A DUBOIS

• Mr. DOMENICI. Mr. President, I rise before you today to pay respect and to commend the accomplishments of a great New Mexican.

Frank A. DuBois has given the past 30 years of his life serving the agricultural producers and citizens of New Mexico. His vision and philanthropic attitude is clear when looking back to the deeds accomplished by this great man.

On June 1st, Mr. DuBois retired from his position as director of the New Mexico Department of Agriculture after 15 years. During this time, Mr. DuBois also served as cabinet secretary for four Governors. Throughout his tenure with the New Mexico Department of Agriculture, Frank worked as a field inspector, agricultural policy specialist, assistant director and, finally, director.

In addition to these great accomplishments, Frank also worked as my legislative assistant and then went on to serve as the Deputy Secretary for Land and Water Resources with the U.S. Department of the Interior.

Frank has also dedicated a large part of his life to the rodeo. In fall 2000, Frank set up the DuBois Rodeo Scholarship to help aspiring rodeo athletes at New Mexico State University. To date, 18 students from NMSU have received financial aid to help them focus more on school and their rodeo activities, rather than having to worry about meeting the financial burdens of college life.

The most amazing aspect of Frank DuBois is that for the past 13 years, he has been living with multiple sclerosis. And yet this debilitating disease has not stopped Frank from accomplishing so much. In December 2000, Frank received the DreamMaker Award from the Going the Distance for MS Research Foundation. He was diagnosed with MS in 1990 but has not wavered in his dedication to the people he serves.

Frank's life should be an inspiration to us all. Even living with MS, Frank refuses to give in. He has received six prestigious awards for his unwavering dedication to New Mexico since 1995.

I could not stand here and talk about Frank without also honoring his loving wife Sharon, who has been on my staff for many years in my Las Cruces office. Sharon has stood beside her husband through the toughest of times. She has devoted her love and time to help Frank realize his dreams and

those who know her personally are greatly appreciative.

Frank's retirement from public service will most definitely be felt by New Mexico, and he will be greatly missed. He has dedicated a great portion of his life to the advancement of the heritage of New Mexico, and even in his retirement, Frank has committed to help develop his Rodeo Scholarship and to focus on his own personal health.

Frank, although your retirement will be felt by many, I thank you for your past dedication and your promise for a continued commitment to the youth of NMSU.●

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2818. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report concerning CBO estimates compared to OMB estimates for P.L. 108-11, the 2003 Emergency Wartime Supplemental Appropriations Act; to the Committee on the Budget.

EC-2819. A communication from the Director, Financial Management and Assurance, General Accounting Office, transmitting, pursuant to law, a report on the financial statements of the Capitol Preservation Fund for the fiscal years ended September 30, 2002 and 2001; to the Committee on Rules and Administration.

EC-2820. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Bureau of Labor Statistics April 2003 Department Store Price Indexes" (Rev. Rul. 2003-68) received on June 9, 2003; to the Committee on Finance.

EC-2821. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Viruses, Serums, Toxins, and Analogous Products; Standard Requirements for Determination of Residual Free Formaldehyde Content of Biological Products" (Doc. No. 01-091-2) received on June 16, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2822. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Exotic Newcastle Disease; Removal of Areas from Quarantine" (Doc. No. 02-117-8) received on June 16, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2823. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Removal of Cold Treatment Requirement for Ya Pears Imported From Hebei Province in China" (Doc. No. 02-084-2) received on June 16, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2824. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tuberculosis Testing in Imported Cattle" (Doc.

No. 00-102-2) received on June 16, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2825. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Azoxytobrin; Pesticide Tolerance" (FRL7311-2) received on June 18, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2826. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Buprofezin; Pesticide Tolerance" (FRL7310-7) received on June 18, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2827. A communication from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" received on June 9, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-2828. A communication from the Director, Regulations Policy and Management, transmitting, pursuant to law, the report of a rule entitled "Food Additive Permitted in Feed and Drinking Water for Animals Feed-Grade Biuret" (Doc. No. 02F-0327) received on June 19, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-2829. A communication from the Director for Standards and Guidance, Occupational Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Powered Industrial Trucks—Technical Amendment (Correction)" received on June 16, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-2830. A communication from the Regulations Coordinator, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Applications for FDA Approval to Market a New Drug: Patent Submission and Listing Requirements and Application of 30-Month Stays on Approval of Abbreviated New Drug Applications Certifying that a Patent Claiming a Drug is Invalid or Will Not Be Infringed" (RIN0910-AC48) received on June 18, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-2831. A communication from the United States Railroad Retirement Board, transmitting, pursuant to law, the Twenty-Second Actuarial Valuation of the Assets and Liabilities Under the Railroad Retirement Acts as of December 31, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2832. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, the International Energy Outlook for 2003; to the Committee on Energy and Natural Resources.

EC-2833. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, the Uranium Industry Annual Report for 2002; to the Committee on Energy and Natural Resources.

EC-2834. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report concerning the payment to the Czech Republic Government in the amount of \$0.930 million to reimburse it for military support provided to U.S. military operations in connection with the global war on terrorism; to the Committee on Armed Services.

EC-2835. A communication from Under Secretary of Defense, Personnel and Readiness, transmitting, the approval of a retirement; to the Committee on Armed Services.

EC-2836. A communication from the Assistant Secretary of the Navy, Department of Defense, transmitting, pursuant to law, a report concerning the study of certain functions performed by military and civilian personnel in the Department of the Navy for possible performance by private contractors; to the Committee on Armed Services.

EC-2837. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report concerning chemical agent destruction operations at the Anniston Chemical Agent Disposal Facility in Anniston, Alabama; to the Committee on Armed Services.

EC-2838. A communication from the Assistant Director, Executive and Political Personnel, Department of the Army, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer in the position of Secretary of the Army; to the Committee on Armed Services.

EC-2839. A communication from the Office of the Secretary of Defense, Administration and Management, transmitting, pursuant to law, a report concerning the certification of the total cost for the planning, design, construction, and installation of equipment for the renovation of Wedges 2 through 5 of the Pentagon; to the Committee on Armed Services.

EC-2840. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Transportation of Supplies by Sea—Commercial Items" (DFARS Case 2002-D019) received on June 19, 2003; to the Committee on Armed Services.

EC-2841. A communication from the Under Secretary of Defense, Acquisition, Technology and Logistics, transmitting, pursuant to law, the 2003 Annual Report and Performance Plan for the Chemical and Biological Defense Program

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KERRY:

S. 1310. A bill to amend the Internal Revenue Code of 1986 to provide that the harbor maintenance tax is applied to certain ports that import cargo exceeding \$100,000,000 in value per year; to the Committee on Finance.

By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. 1311. A bill to establish the Hudson-Fulton-Champlain 400th Commemoration Commission, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INOUE (for himself and Mr. AKAKA):

S. 1312. A bill to amend title XIX of the Social Security Act to provide 100 percent reimbursement for medical assistance provided to a Native Hawaiian through a Federally-qualified health center or a Native Hawaiian health care system; to the Committee on Finance.

By Mr. HOLLINGS:

S. 1313. A bill to establish the Congaree Swamp National Park in the State of South Carolina, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN (for himself, Mr. DASCHLE, Mrs. MURRAY, and Ms. CANTWELL):